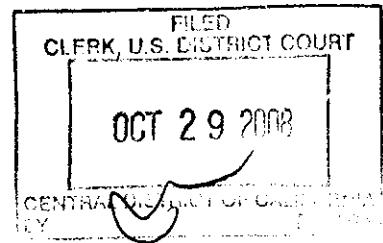


Benjamin Schonbrun SBN 118323  
schonbrun.ben@gmail.com  
Michael D. Seplow, SBN 150183  
mseplow@aol.com  
SCHONBRUN DESIMONE SEPLOW  
HARRIS & HOFFMAN LLP  
723 Ocean Front Walk  
Venice, California 90291  
Telephone: (310) 396-0731  
Fax: (310) 399-7040

Attorneys for Plaintiffs  
Martha Rauda and Regulo Puebla



**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF THE STATE OF CALIFORNIA**

MARTHA RAUDA, REGULO  
PUEBLA, individually and as  
successors in interest to MARTHA  
PUEBLA, decedent,

Plaintiffs,

vs.

CITY OF LOS ANGELES, a public  
entity, CHIEF WILLIAM BRATTON,  
an individual, DETECTIVE MARTIN  
PINNEN, an individual, DETECTIVE  
JUAN RODRIGUEZ, an individual,  
AND DOES 1 THROUGH 10

Defendants.

**NO. CV-08-3128 CAS (PJWx)**

**[PROPOSED] PROTECTIVE  
ORDER RE PRIVILEGED  
DOCUMENTS AND THINGS**

**Judge Christina A. Snyder**

**Mag. Judge Patrick J. Walsh**

*Note Change to  
p 7.*

Pursuant to the Stipulation Re Privileged Documents and Things, it is  
hereby ordered that:

1. Defendants and Plaintiffs have agreed that the below-listed

1 documents shall be designated confidential documents and/or writings because  
2 Defendants believe, in good faith, that these documents and/or writings are  
3 privileged, confidential, private or sensitive nature. This will be accomplished by  
4 affixing to such document or writing a legend, such as "Confidential,"  
5 "Confidential Documents," "Confidential Material Subject to Protective Order" or  
6 words of similar effect. Documents and writings so designated, and all  
7 information derived therefrom (hereinafter, collectively, "Confidential  
8 Information"), shall be treated in accordance with the terms of this  
9 stipulation/protective order. Documents, writings and things to be designated as  
10 such, include and are not limited to the following:

- 11 a) Any LAPD Internal Affairs and/or Professional Standards  
12 investigation files  
13 including but not limited to, tape recorded interviews, compelled statements of  
14 police officers, complainants, and other witnesses, supporting documentation,  
15 form 1.80 summary listings and transcripts and photos;
- 16 b) Any personnel file(s), background hiring materials or complaints and  
17 complaint investigations of any former or current LAPD employee, including, but  
18 not limited to performance evaluations, commendations, training records, prior  
19 personnel complaints, disciplinary information, compensation information, and  
20 information regarding an officer's off-duty time (i.e., vacation time, sick days,  
21 time off, etc.);
- 22 c) TEAMS printouts and training records;
- 23 d) All documents which comprise the LAPD "Murder Books" for  
24 Enrique Acosta,  
25 Christian Vargas, and Martha Puebla, DMV information or "CORI" runs,  
26 Chronological Records, Crime Scene Logs, Crime Reports, Death Reports,  
27 Property Reports, S.I.D. Reports and Logs, Vehicle Reports, Arrest Reports,  
28 Related Crime Reports, Follow-up and Progress Reports, Victim Information

(including Statements, Photos, Background Information, Probation/Parole Status, Rap Sheets), Suspect Information (including Statements, Arrest Warrants, Photos/Composite Drawings, Probation/Parole Status, Rap Sheets), Photo Line-ups, Witness Lists, Witness Statements, Officers at Scene/Statements, Crime Scene Notes and Surveys, Crime Scene Photos, Ambulance and Medical Records, Coroner's Records/ Photos, Search Warrants, Investigation Notes, Computer Runs, Field Interview Cards, Transcripts of Audiotapes (including interviews of witnesses, LAPD officers, suspects, tape recordings of phone conversations).

2. Confidential Information may be used by the persons receiving such information [hereinafter "Receiving Party(ies)"] only for the purpose of this above-captioned litigation.

3. Subject to the further conditions imposed by this stipulation/protective order, Confidential Information may be disclosed only to the following persons:

a. Counsel for Plaintiff and to experts, investigators, paralegal assistants, office clerks, secretaries and other such personnel working under their supervision.

b. Such other parties as may be agreed by written stipulation among the parties hereto, or by Court Order.

4. Prior to the disclosure of any Confidential Information to any person described in paragraph 3(a), or 3(b), counsel for the Receiving Party who seeks to use or disclose such Confidential Information shall first provide a copy of this Stipulation and have the individual to whom the Receiving Party intends to disclose said Confidential Information sign a nondisclosure agreement, stating that the person has received and read a copy of the Stipulation and understands that

1 s/he is bound by the terms of the Stipulation in substantially the form set forth  
2 below:

3 A. I understand that I am being given access to Confidential Information  
4 pursuant to the foregoing Stipulation and Order. I have read the  
5 Stipulation and Order  
6 and agree to be bound by its terms with respect to the handling, use,  
7 and  
8 disclosure of such Confidential Information.

9 Dated:

10 Signed: \_\_\_\_\_  
11

12 Counsel for the Receiving Party shall maintain all signed acknowledgments  
13 of receipt of the Stipulation. If an issue arises regarding a purported unauthorized  
14 disclosure of Confidential Information, upon noticed motion of contempt filed by  
15 the Disclosing Parties, counsel for the Receiving Party may be required to file the  
16 signed acknowledgment of the receipt and review of the Stipulation. The  
17 Receiving Party may not be required to produce any documents that would reveal  
18 the identity of the persons given Confidential Information pursuant to this  
19 protective order except upon an order of the Court.  
20

21 5. Upon the final termination of this litigation, including any appeal  
22 pertaining thereto, all Complaint Investigation materials, including Plaintiff's copy  
23 of their Protective Order, as well as any other Court Ordered Documents provided  
24 pursuant to this Protective Order and all copies thereof, shall be returned to the  
25 Offices of the Los Angeles City Attorney's Office, 6th Floor, City Hall East, Los  
26 Angeles, California 90012 for destruction/shredding. Moreover, any information  
27 that was transferred onto a computer, zip drive, disc or other source, shall be  
28 destroyed and deleted. All Confidential documentation provided to any person or

1 party, pursuant to any provision hereof, also shall be returned to the City  
2 Attorney's Office.

3  
4 6. If any party who receives Confidential Information receives a  
5 subpoena and/or public record request seeking Confidential Information, he, she  
6 or it shall immediately give written notice to counsel for defendants, identifying  
7 the Confidential Information sought and the time in which production or other  
8 disclosure is required, and shall object to the request or subpoena on the grounds  
9 of this stipulation/protective order. At that time, Plaintiffs must thereafter obtain  
10 an order barring production or other disclosure, or to otherwise respond to the  
11 subpoena or other request for production or disclosure of Confidential Material.  
12 In no event should production or disclosure be made without written approval by  
13 defendants' counsel unless required by Court Order arising from a motion to  
14 compel production or disclosure of Confidential Information.

15  
16 7. Any pleadings, motions, briefs, declarations, stipulations, exhibits or  
17 other written submissions to the Court in this litigation which contain, or  
18 incorporate Confidential Information shall be filed and maintained under seal.  
19 Any other pleadings, motions, briefs, declarations, stipulations, exhibits or other  
20 written submissions that refer to, but do not contain or incorporate Confidential  
21 Information, shall designate the particular aspects that are confidential so as to  
22 enable the Court, in drafting presumptively public orders relating to these filings  
23 under seal, to determine whether there is evidence which the Court should attempt  
24 not to disclose. If any papers to be filed with the Court contain protected  
25 information, the proposed filing shall be accompanied by an application to file the  
26 papers or the portion thereof containing the protected information, under seal and  
27 that the application shall be directed to the judge to whom the papers are directed.

28 Under seal filings governed by Local Rule 79-5.1.

1           8. Counsel for the parties hereto agree that the parties must request that  
2 the Court consider that any motions, applications or other pre-trial proceedings  
3 which could entail the discussion or disclosure of Confidential Information be  
4 heard by the Court outside the presence of the jury. Counsel for the parties further  
5 agree that, during any portion of the trial of this action which could entail the  
6 discussion or disclosure of Confidential Information, that Defendants will have an  
7 opportunity to request that access to the courtroom be limited to parties, their  
8 counsel and other designated representative, experts or consultants who agreed to  
9 be bound by this stipulation/protective order, and court personnel.

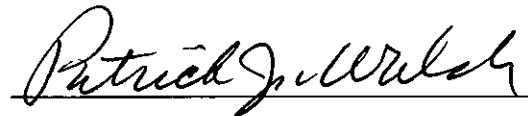
10  
11           9. Nothing herein shall prejudice any party's right to object to the  
12 introduction of any Confidential Information into evidence, on grounds including  
13 but not limited to relevance and privilege.

14  
15           10. The party designating information, documents, materials, or items as  
16 confidential bears the burden of establishing the confidentiality. At any time after  
17 receipt of documents labeled as Confidential Information, the Receiving Parties  
18 may provide the Disclosing Parties with a written objection to the classification of  
19 specific documents as prohibited from disclosure under this protective order and  
20 the basis for the Receiving Parties' objection. The Disclosing Party shall, within  
21 30 days of receipt of the written information notice, advise the counsel for the  
22 Receiving Parties whether the Disclosing Party intends to seek an order from the  
23 Court retaining the documents within the Protective Order. The counsel for the  
24 Receiving Parties must, upon receipt of such written notice, continue to treat the  
25 documents as Confidential Information until such time as the Court issues a ruling  
26 on the Disclosing Parties motion to maintain the confidentiality of said documents.  
27 Notwithstanding the foregoing, any party bound by this Stipulation who contests  
28 the confidential nature of documents produced pursuant to this Stipulation may

1 move the Court for an order to have the documents removed from the protective  
2 order and to have the documents declared not confidential, or otherwise move to  
3 modify the Stipulation as to some or all of the documents. These procedures are in  
4 addition to, and not in lieu of compliance with Local Rule 37-1 et seq. relating to  
5 discovery motions.

6  
7  
8 ***IT HEREBY IS SO ORDERED:***

9  
10  
11  
12 Dated: 10/29/08, 2008



13 ***HON. PATRICK J. WALSH***

14 ***United States Magistrate Judge***  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28